

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

LIONEL RUTHERFORD

Petitioner,

VS.

UNITED STATES OF AMERICA

Respondent.

Case No. 1:08CV1180
(1:06cr272)

JUDGE ANN ALDRICH

ORDER

The Court has filed its memorandum and order denying the petition for writ of habeas corpus.

IT IS ORDERED that Dailey's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 is denied, and this action is dismissed.

IT IS FURTHER ORDERED that Rutherford has not made a substantial showing of a violation of a constitutional right, the court certifies pursuant to 28 U.S.C. § 2253(c) that an appeal from this order would not be well taken.

s/Ann Aldrich
ANN ALDRICH
UNITED STATES DISTRICT JUDGE

Dated: December 3, 2008